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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09-0880 JSW
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	PRELIMINARY ORDER OF FORFEITURE
v.	)	
	)	
ALBERTO GODINEZ-GALARZA,	)	
	)	
Defendant.	)	
_____	)	

Pursuant to Rule 32.2(b) of the Federal Rules of Criminal Procedure, the undersigned submits this proposed preliminary order of forfeiture.

On May 18, 2010, pursuant to a plea agreement, the defendant pleaded guilty to Count Two of the Superseding Indictment for a violation of 18 U.S.C. § 922(g)(5), Illegal Alien in Possession of a Firearm. The Superseding Indictment contains a firearms forfeiture allegation. The parties entered into a plea agreement where the defendant agrees to forfeit all firearms or

1 contraband seized by law enforcement from his possession or control, including the Tanfoglio  
2 brand .45 caliber pistol, the AKM 7.62 caliber machine gun, a Colt brand model Super 38 Auto,  
3 .38 caliber pistol, and a Ruger rifle, .22 caliber, a Wards Hercules shotgun, .20 gage, a  
4 Remington rifle, .22 caliber, and a Sterling Arms pistol, .22 caliber.

5 Accordingly, the Court has determined, based upon the defendant's plea agreement, that all  
6 property named in paragraph 11 of the plea agreement is subject to forfeiture pursuant to 18  
7 U.S.C. § 924(d), that the defendant had an interest in such property, and that the government has  
8 established the requisite nexus between such property and the offenses.

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10  
11 MELINDA HAAG  
United States Attorney

12  
13 DATED: September 10, 2010


/s/  
14 PATRICIA SPALETTA  
Special Assistant United States Attorney

15  
16 DATED: September 10, 2010

/s/  
17 RONALD TYLER  
Attorney for Godinez-Galarza

18  
19 SO ORDERED.

20  
21 DATED: September 13, 2010

  
22 THE HON. JEFFREY S. WHITE  
United States District Judge